

IN THE SUPERIOR COURT OF THE STATE OF DELAWARE

IN AND FOR NEW CASTLE COUNTY

STENIO DESOUZA, and
RAQUEL DESOUZA,

Plaintiffs,

v.

PETTINARO CONSTRUCTION, CO., INC.
PETTINARO ASSOCIATES, INC.,
PETTINARO ENTERPRISES, PETTINARO
ENTERPRISES. LLC, PETTINARO
RELOCATION, LLC, QUEENSBURY
VILLAGE, INC., ARCHITECTURE PLUS, P.A.
LANDMARK ENGINEERING, INC.
MID-ATLANTIC REALTY, J.N. CAPPENTRY,
INC., a/k/a/p/d/f/d/b/a, JN CARPENTRY, INC.,
NJ CARPENTRY, and/or JN CARPENTER, INC.
E.F. CARPENTER, INC., U.S. BUILDERS ASSOC.,
LLC, U.S. CONSTRUCTION, INC. a/k/a/pf/d/b/a
U.S. CONSTRUCTION, and/or U.S.
CONSTRUCTION, LLC, U.S. CONSTRUCTION,
JOSE H. RODRIGUES, a/p/f/k/a JOSE RODRIGUES
JOSES G. RODRIGUES, and/or JOSE RODRIGUEZ,
and/or JOSE M. RODRIGUEZ, and/or GOSE
RODRIGUES, and/or JOSE HENRIQUES
PEREIRA RODRIGUES, JOSE G. RODRIGUES,
JOSE HENRIQUE PEREIRA RODRIGUES,
JOSE RODRIGUEZ, JOSE M. RODRIGUEZ,
GOSE RODRIGUES, NINO RODRIGUES,
a/p/f/k/a ANTONIO G. RODRIGUES, and/or
ANTONIO O. RODRIGUES, and/or ANTONIO
RODRIGUES, ANTONIO G. RODRIGUES,
ANTONIO O. RODRIGUES, AND ANTONIO
RODRIGUES,

Defendants.

C.A. No.: 05-787 (SLR)

JURY TRIAL DEMANDED

AFFIDAVIT OF GARY W. ABER AND AMENDMENT TO COMPLAINT

STATE OF DELAWARE)
) SS.
COUNTY OF NEW CASTLE)

I, Gary W. Aber, being duly sworn according to law, does hereby depose and state as follows:

1. He is an attorney for the plaintiffs in the above-captioned matter.

2. The defendant, Jose H. Rodrigues, is a non-resident of the State of Delaware.

3. A summons and complaint directed to Jose H. Rodrigues, was served upon the Secretary of State, pursuant to 10 Del.C. §3104 on May 25, 2006.

4. By letter dated June 6, 2006 sent by Registered Mail, Return Receipt Requested, a copy of the summons and complaint was sent to Jose H. Rodrigues, which letter and enclosures constitute notice and service to defendant of the intention of this action as required by 10 Del.C. §3104. A copy of the letter dated June 6, 2006, is attached hereto as Exhibit No. 1.

5. Attached hereto as Exhibit No. 2 is a copy of the return receipt obtained at the time Exhibit No. 1 was mailed at the post office.

6. Attached hereto as Exhibit No. 3 is a copy of the return receipt for the delivery of the registered letter and attachments directed to Jose H. Rodrigues, which was received in the offices of the affiant on or about June 19, 2006.


GARY W. ABER

SWORN TO AND SUBSCRIBED before me, a Notary Public, of the State and County aforesaid, this 30 day of June, 2006.




NOTARY PUBLIC

EXHIBIT 1

ABER, GOLDLUST, BAKER & OVER

(AN ASSOCIATION OF LAW PRACTICES)
702 KING STREET, SUITE 600
P.O. Box 1675
WILMINGTON, DELAWARE 19899-1675

GARY W. ABER, P.C.
PERRY F. GOLDLUST, P.A.*
DARRELL J. BAKER, P.A.
SUSAN C. OVER, P.C.
SHAUNA T. HAGAN
SAAGAR B. SHAH

(302) 472-4900
TELECOPIER (302) 472-4920

June 6, 2006

*ALSO ADMITTED IN NEW YORK
**ALSO ADMITTED IN PENNSYLVANIA

REGISTERED MAIL

Mr. Jose H. Rodrigues
108 Grant Street
Riverside, NJ 08075

RE: DeSouza v. Pettinaro, et.al.

Dear Mr. Rodrigues:

Please find enclosed with this letter a copy of a complaint in the above-captioned matter, in which you are named as a defendant. Also enclosed is a copy of the summons showing that service of the complaint was made upon the Secretary of State of the State of Delaware on May 25, 2006, and filed with the Court on June 4, 2006.

The service of the original of such process and the complaint, made upon the Secretary of State, pursuant to the provisions of 10 Del.C. §3104 is as effectual for all intents and purposes as if it had been made upon you personally within this State.

You should refer this matter to your appropriate legal representative.

Yours very truly,



Gary W. Aber

GWA/mac
Enclosure

EXHIBIT 2

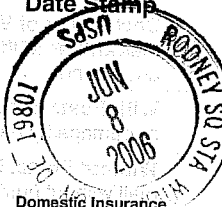
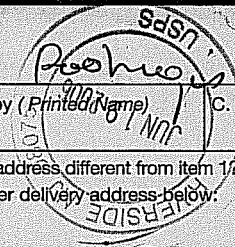
Registered No. <u>RB 6692184064</u>		Date Stamp 
To Be Completed By Post Office	Reg. Fee \$ <u>7.90</u>	Special Delivery \$ <u>1.85</u>
	Handling Charge \$ <u>1.59</u>	Return Receipt \$ <u>1.85</u>
	Postage \$ <u>1.59</u>	Restricted Delivery \$ <u>1.85</u>
	Received by <u>Bauer</u>	
Customer Must Declare Full Value \$ <u> </u>		<input type="checkbox"/> With Postal Insurance <input type="checkbox"/> Without Postal Insurance
To Be Completed By Customer (Please Print) All Entries Must Be in Ballpoint or Typed	FROM	<u>Gary W. Aber.</u> <u>P.O. Box 1675</u> <u>Wilmington, DE 19899</u>
	TO	<u>Jose H. Rodriguez</u> <u>108 Grant Street</u> <u>Riverside, NJ 08075</u>
PS Form 3806, June 2000 Receipt for Registered Mail (Customer Copy) (See Information on Reverse)		
<u>GWA / DeSenza</u>		

EXHIBIT 3

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<p>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p>		<p>A. Signature X <i>Jose H. Rodriguez</i> </p> <p>B. Received by (Printed Name) <i>Jose H. Rodriguez</i> C. Date of Delivery</p>	
<p>1. Article Addressed to:</p> <p><i>Jose H. Rodriguez.</i> <i>108 Grant Street.</i> <i>Riverside, NJ.</i> <i>08075.</i></p>		<p>D. Is delivery address different from item 1? <input checked="" type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>	
<p>2. Article Number (Transfer from service label) <i>RB669 218 406 US.</i></p>		<p>3. Service Type <input type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input checked="" type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>	
<p>PS Form 3811, August 2001</p>		<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p> <p>Domestic Return Receipt <i>GUA/DeSanzo</i> 102595-02-M-1540</p>	